

## Review Requirements Checklist Mortgage Guaranty Insurance, Line 6

Company Name: \_\_\_\_\_

NAIC #: \_\_\_\_\_

REVIEW REQUIREMENTS	REFERENCE (See <a href="http://www.azleg.state.az.us">www.azleg.state.az.us</a> for applicable statute.)	COMMENTS	REFERENCE Form/Page/Para*
<b>I. FORMS</b>			
<b>Applications</b>			
Referenced In the Policy	A.R.S. §§ 20-1549(A); 20-1102		
Statements As Representations, Not Warranties	A.R.S. §§ 20-107(A); 20-1109		
Fraud Must Be Material	A.R.S. § 20-463(A); Unpublished Requirement	Statements in the application that would preclude recovery for fraudulent activity must restrict nonrecovery for fraud based on material facts.	
<b>Blank Forms</b>			
Blank Forms	Unpublished Requirement	The ADOI will not approve blank forms. The forms should be completed in "John Doe" fashion to illustrate the type of language that will be placed on the form.	
<b>Cancellation &amp; Nonrenewal</b>			
Premium Return	A.R.S. §§ 20-107(A); 20-1113(C); 20-1549(A)		
<b>Filing Requirements</b>			
File and Use	A.R.S. § 20-398		
Exemption Order	A.R.S. § 20-398(B); Exemption Order	Certain forms have been exempted from filing requirements by Order of the Director. The insurer should review the current exemption order located at <a href="http://www.id.state.az.us">www.id.state.az.us</a> prior to making any submission to the Department in order to determine whether a filing is required or not.	
<b>General Provisions</b>			
Charter; Bylaws	A.R.S. § 20-1114		
Contents Of The Policy (Names)	A.R.S. § 20-1113(B)(1)		
Contents Of The Policy (Insurer)	A.R.S. § 20-1113(B)(2)		
Contents Of The Policy (Subject)	A.R.S. § 20-1113(B)(3)		
Contents Of The Policy (Risks)	A.R.S. § 20-1113(B)(4)		
Contents Of The Policy (Time)	A.R.S. § 20-1113(B)(5)		
Contents Of The Policy (Premium)	A.R.S. § 20-1113(B)(6)		
Contents Of The Policy (Conditions)	A.R.S. § 20-1113(B)(7)	The policy must specify the conditions pertaining to the insurance.	
Assignment	A.R.S. § 20-1122	A policy may be assignable or not assignable, as provided by its terms. Personal injury rights are not assignable. <i>Allstate Ins. Co. v. Druke</i> , 118 Ariz. 301, 576, P2d 489.	
Execution	A.R.S. §§ 20-1551(B); 20-1116		
Owner-Occupied	A.R.S. § 20-1549(A)		
<b>Illegal Provisions</b>			
Non-Licensed Entities	A.R.S. § 20-1551(B); Unpublished Requirement	The form may not reference or refer the policyholder to agents, brokers, managing general agents or other entities which do not possess an Arizona license and which are required pursuant to Title 20 to be licensed in this State.	

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Titles Or Headings	A.R.S. § 20-1111(A)(3)		
Inducement	A.R.S. § 20-1551(A)		
Invalidation of the Policy	A.R.S. § 20-229(C)		
Cannot Discriminate	A.R.S. § 20-1548(B)		
Compensation/Commission/Fee/R emuneration	A.R.S. § 20-1551(B)		
Void Policy Restrictions	A.R.S. § 20-1115		
Exceeding Coverage Limitation	A.R.S. § 20-1546		
<b>Standards (Forms)</b>			
Generally	A.R.S. § 20-1549(A)); 20-1111	An insurer shall not make or issue a contract or policy except in accordance with the filings in effect for the insurer. Forms cannot be deceptive, misleading or ambiguous and shall comply with the applicable provisions of the Arizona Revised Statutes, Title 20.	
Cannot Be Ambiguous, Misleading or Deceptive	A.R.S. §§ 20-1549(A); 20- 1111(A)(2)	The Department may rely on current Arizona case law when determining whether a clause is ambiguous, misleading or deceptive.	
<b>Transmittal Form</b>			
Filing Transmittal Form	Unpublished Requirement	Filings must include a completed Property & Casualty Transmittal Document. The form may be found at the Department's website: <a href="http://www.id.state.az.us">http://www.id.state.az.us</a> . As different laws apply, forms and rates must be filed separately.	
<b>II. RATES</b>			
<b>Filing Requirements</b>			
Exemption Order	A.R.S. § 20-385(F); Exemption Order	Certain rates have been exempted from filing requirements by Order of the Director. The insurer should review the exemption order located at <a href="http://www.id.state.az.us">www.id.state.az.us</a> prior to making any submission to the Department in order to determine whether a filing is required or not.	
Use and File	A.R.S. § 20-385(A)		
Schedule of Premium Charges	A.R.S. § 20-1549(C)		
<b>Setting Rates</b>			
Cannot Discriminate	A.R.S. § 20-1548(B)		
Compensation/Commission/Fee/R emuneration	A.R.S. § 20-1551(B)		
Inducement	A.R.S. § 20-1551(A)		
Rating standards	Unpublished Requirement	Rates shall not be excessive, inadequate or unfairly discriminatory.	
Supporting Data	Unpublished Requirement	The Director may require the filing of supporting data including: 1) The experience and judgment of the filer; 2) The experience and judgment of other insurers ; 3) the insurer's interpretation of any statistical data relied upon; and 4) a description of the methods used in making the rates.	

### CERTIFICATION

I, \_\_\_\_\_, hereby certify that to the best of my knowledge and belief that each form or rate filing involved in this filing: 1) Conforms to all applicable requirements outlined above; 2) Contains no provision(s) previously disapproved or required to be corrected and/or revised by the Arizona Department of Insurance; and 3) Does not exceed this insurer's powers, the authority granted by its state of domicile, and its Arizona certificate of authority.

Signature of Officer: \_\_\_\_\_

Date: \_\_\_\_\_